

**From:** Tom Rockwell  
**To:** Microsoft ATR  
**Date:** 1/23/02 9:26am  
**Subject:** Microsoft Settlement

Dear Sirs,

I am writting to express my concern that the Proposed Final Judgement in the Microsoft antitrust case does little to punish Microsoft for its illegal behaviour and does not take strong enough action to ensure innovation and competition in software products going forward.

Microsoft's illegal behaviour has harmed companies such as Netscape, Real Networks, and computer hardware OEMs. Consumers have been harmed by Microsoft's secret licensing contracts with OEMs that require the OEM to pay for a Microsoft license for every PC they sell - even if the final end user with use a competing OS such as Linux. Microsoft's profits have been enhanced by billions of dollars due to this illegal behaviour, yet the PFJ has no punishments for these actions.

The PFJ does not layout a workable and strong mechanism for ensuring that Microsoft with stop their illegal behaviour. The Technical Committee has limited and weak powers to stop anticompetative behaviour.

It is crazy that Microsoft is allowed to appoint one of the three members of the TC. Either the court or the DOJ should appoint all members of the TC.

The PFJ does not adequately address the behaviours that Microsoft engages in to protect its monopoly against open source competitors such as Linux and Samba. By breaking interoperability with these competing products, Microsoft acts to protect its monopoly.

Computer users have been greatly harmed and endured large expense (estimated in the billions of dollars) due to security weaknesses in Microsoft products. Microsoft's monopoly has prevented competition in the markets - competition that would likely favor more secure OS products.

I see the PFJ as doing nothing to punish Microsoft for its illegal behaviour and letting it off with a mere promise to stop the behaviour in the future. This is not good enough to protect the rights of Americans.

The DOJ has in the past reached consent decrees with Microsoft that were supposed to end its illegal behaviour. The decent decrees were all but ignored by Microsoft and led to the current lawsuit. The appearance is that the DOJ is not effectively prosecuting Microsoft.

Sincerely,  
Tom Rockwell  
Lansing, MI

